


September 16, 2016

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OFFICE OF THE  
COUNTY COUNCIL

MEMO TO: PIA-4(2) File

F R O M: Michael P. Victorino, Chair   
Policy and Intergovernmental Affairs Committee

SUBJECT: **TRANSMITTAL OF LEGISLATIVE PROPOSAL RELATING TO  
2017 MAUI COUNTY LEGISLATIVE PACKAGE** (PIA-4(2))

The attached legislative proposal pertains to Item 4(2) on the Committee's agenda.

pia:ltr:004(2)amc11:kcw

Attachment

# Resolution

No. \_\_\_\_\_

APPROVING FOR INCLUSION IN THE 2017 MAUI COUNTY  
LEGISLATIVE PACKAGE A STATE BILL TO ALLOW A  
REPRESENTATIVE OF EACH COUNTY COUNCIL TO  
PARTICIPATE AS A NON-VOTING MEMBER IN RELEVANT  
BARGAINING UNIT NEGOTIATIONS, AND TO RECEIVE  
UPDATES FROM THE ADMINISTRATION ON BARGAINING  
UNIT NEGOTIATIONS

WHEREAS, employment costs, largely determined through bargaining unit negotiations, are a significant and growing part of county budgets; and

WHEREAS, because the county councils have the duty to appropriate funds for employment costs for the counties, councils' knowledge of bargaining unit negotiations regarding those costs is essential for effective municipal financial planning; and

WHEREAS, currently, the mayors or their representatives are participants in bargaining unit negotiations; and

WHEREAS, adding councilmember participation in bargaining unit negotiations would ensure both branches of county government have full information on current and anticipated employment costs; and

WHEREAS, enactment of State legislation to allow each county council to have a representative participate as a non-voting member in bargaining unit negotiations would result in financial planning benefits to the counties; and

WHEREAS, it is important for the county councils to receive updates from the administration on bargaining unit negotiations to properly appropriate funding to the departments for their annual budgets; now, therefore,

BE IT RESOLVED by the Council of the County of Maui:

1. That the proposed State bill, attached as Exhibit "A," to allow a representative of each county council to be present as a non-voting participant in negotiations with relevant bargaining units and to receive updates from the Administration on bargaining unit negotiations, is approved for inclusion in the 2017 Maui County Legislative Package; and

**Resolution No. \_\_\_\_\_**

2. That certified copies of this resolution be transmitted to the Mayor, County of Maui; the Governor, State of Hawaii; the Senate President, State of Hawaii; and the Speaker of the House of Representatives, State of Hawaii.

pia:misc:004(2)areso10:kcw

\_\_\_\_.B. NO.\_\_\_\_

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# A BILL FOR AN ACT

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RELATING TO COLLECTIVE BARGAINING.

**BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:**

1       SECTION 1. The purpose of this Act is to allow a  
2       representative of each county council to be present as a non-  
3       voting participant in negotiations with bargaining units if the  
4       relevant county has employees in the particular bargaining unit.

5       County councils have the duty to appropriate funds for  
6       their counties. Councils' knowledge of bargaining unit  
7       negotiations and associated costs is essential to enable  
8       effective financial planning for the counties.

9       SECTION 2. Section 89-6, Hawaii Revised Statutes, is  
10      amended by amending subsection (d) to read as follows:

11      "(d) For the purpose of negotiating a collective  
12      bargaining agreement, the public employer of an appropriate  
13      bargaining unit shall mean the governor together with the  
14      following employers:

15      (1) For bargaining units (1), (2), (3), (4), (9), (10),  
16      (13), and (14), the governor shall have six votes and  
17      the mayors, the chief justice, and the Hawaii health  
18      systems corporation board shall each have one vote if

**EXHIBIT "A"**

\_\_\_\_.B. NO. \_\_\_\_\_

they have employees in the particular bargaining unit;  
and one representative from each county council shall  
be allowed to attend as a non-voting participant  
during negotiations if their county has employees in  
the particular bargaining unit;

(2) For bargaining units (11) and (12), the governor shall  
have four votes and the mayors shall each have one  
vote; and one representative from each county council  
shall be allowed to attend as a non-voting participant  
during negotiations if their county has employees in  
the particular bargaining unit;

(3) For bargaining units (5) and (6), the governor shall  
have three votes, the board of education shall have  
two votes, and the superintendent of education shall  
have one vote; and

(4) For bargaining units (7) and (8), the governor shall  
have three votes, the board of regents of the  
University of Hawaii shall have two votes, and the  
president of the University of Hawaii shall have one  
vote.

(5) The mayor or the mayor's representative shall provide  
timely updates relating to bargaining unit

\_\_\_\_.B. NO. \_\_\_\_\_

1           negotiations to the county councils in an executive  
2           meeting.

3           Any decision to be reached by the applicable employer group  
4 shall be on the basis of simple majority, except when a  
5 bargaining unit includes county employees from more than one  
6 county. In that case, the simple majority shall include at  
7 least one county."

8           SECTION 3. Statutory material to be deleted is bracketed  
9 and in strikethrough. New statutory material is underscored.

10          SECTION 4. This Act shall take effect upon its approval.

INTRODUCED BY: \_\_\_\_\_